2: Mitchell E-5 (1946-1949) 1956 FTT Yao FTT

again. In the past, disputes hinging on murder had this aspect, [682] though they were usually settled by a feud. Nowadays, of [683] course, all murder cases are tried "alongside one of the heads of the chief, but the special fine for bloodshed is still levied in cases of assault. When a man is convicted of assault in the chief's court he will have to pay three separate amounts: one to the victim as compensation, one as a fine to the Native Treasury, and one to the chief "so that he may see again".

A similar provision applies to cases of arson. When a case is [685] brought to the chief because a man has burnt another's hut, the [372] chief will say that the guilty man has "brought a torch into his country". The man convicted of arson will have to pay a special fine to the chief in the same way as the man who caused bloodshed. The association of the unity of the chiefdom with fire probably has some place in the attitude of the chief here. People who have come to a chiefdom as strangers are said to have come to "seek the chief's fire",[1] and all the fires in the chiefdom are supposed to have been kindled from one flame. This expresses the unity of the chiefdom: the burning of the hut, therefore, symbolizes the introduction of discordant elements, as well as being a serious crime in itself.

The Chief's Judicial Functions

It is clear from MacDonald's writings that in pre-White days [682] the chief settled most of the serious disputes in his chiefdom. [683] Nowadays, this function of the chief has been given legal sanction under the Native Courts' Ordinance of 1933. "A" grade courts have the power of imposing fines not exceeding £5, or 6 months' imprisonment and 12 strokes whipping; and "B" grade courts may impose fines not exceeding £1 and imprisonment including hard labour not exceeding one month, but not corporal punishment. The Native Authorities, Jalasi, Nyambi, Kawinga and Liwonde, all have "A" courts; the Subordinate Native Authorities, Chikowe, Ngokwe, Chiwalo, Chombe, Mpeni, Mlonda, Sawa, have "B" courts. Only a certain proportion of disputes [691] is brought for trial in these Native Authority courts. This is [673] because, firstly, the Administration does not admit the legality of some disputes. Most of these centre on charges of witchcraft,

[1] A similar view of law in the village moot is discussed in Chap. V, p. 110.

2: Mitchell E-5 (1946-1949) 1956 FT7 Yao FT7

Further enquiries may reveal that this is only a section of a larger village, possibly a hundred or more yards away.

The boundaries of a village may not always be clear. Clusters of huts which are part of one village may be physically remote from another, but in the minds of the Yao, who see not only the huts but also the social relationships of the people occupying them, there is no confusion at all. As a general rule the villages are fairly compact and clearly demarcated from others, and even strangers have no difficulty in recognizing the autonomy of the group which is expressed in many different ways. MacDonald recorded that formerly a headman performed a certain amount of ritual which symbolized the unity of the village.[1] Much of this has fallen away, but the unity remains.

The ritual surrounding the foundation of a new village bears testimony to its persisting political significance. In this ritual the unity of the group, against other similar groups, including the village from which it has sprung, is expressed. On first arrival at a new village site the men build grass sheds, beginning with that of the headman. That night the headman pours a cone of sacred flour at the root of a tree on the site, and asks the spirits of his ancestors whether the site is propitious. Early next morning he examines the cone to see the answer. If a side of the cone has collapsed it does not augur well and another site is selected. If the cone is still whole it is taken that the spirits acquiesce, and permanent huts can be started. The headman then goes into the bush to find medicines[2] which he mixes with groundnuts. That night, with the medicated groundnuts in the hut, the headman has intercourse with his wife. In the morning those who are not actually active come to the headman's grass shed to drink some water in which the medicine has been steeped and eat some of the medicated beans with a little porridge, which the headman's wife has prepared from the sacred flour. This medicine is called 'the medicine to strengthen the village' (*mtowa wakulimbika musi*). Until then all members of the village should have been continent but after this sexual relationships may be resumed. The object of the medicine is to prevent those

[1] See pp. 51-6.

[2] Mbalangwe and others, two plants commonly used for protection against witches. See Ch. 9, p. 172.

2: Mitchell E-5 (1946-1949) 1956 FT7 Yao FT7

who are sexually inactive from contracting *ndaka*.[1] At the same time the headman gives each household a piece of the fire which has been newly kindled in the traditional way by rubbing two sticks together.

The mystical danger inherent in the act of setting up a new village is well brought out in the propitiatory prayer and the abstinence from sexual intercourse. Once again it is the village headman who must make the offering to his ancestors; and it is the village headman who has intercourse with his wife so that the effluvium from his sexual activity may permeate the medicine in the hut and so protect the villagers from *ndaka*. Lastly, it is very important that the whole village cooks and is warmed by one fire. 'We are of one fire' expresses the common origin of two villages; though in fact every time a new village is founded a new fire should be kindled. To bring fire from the village of origin is to bring sorcery, since the Yao believe that sorcery can operate between persons closely linked by kinship only. To have one's own fire is to be autonomous from other groups.

The Duties and Rewards of Headmanship

MacDonald had the perspicuity to see not only that the village headman was the representative of a corporate group and that he represented this group to outsiders, but also that he represented external authority to his villagers. The village headman who is in his person most for the unity of the group, performed certain ritual acts which emphasized this, such as praying to the village ancestors. In spite of the decline of the ritual his position is still regarded as exceptional. Much, however, depends on the rank of the village headman. There may not be much difference in ritual observances and mystical dangers between a headman who has in his charge a meagre three or four huts, and a commoner. In the larger and more important

[1] This is one of the most important mystical concepts of the Yao. I have described this condition and its implications more fully in *Marriage among the Matrilineal Yao of Southern Nyasaland* (R.-L.I. Paper), forthcoming. Briefly it is a diverse characterized by taboos which affect those who are sexually inactive when they are ritually brought into contact with a person, or an object which he has touched, after having intercourse. The people most affected are the young and the old, i.e. those who cannot have sexual intercourse. Those who are capable of intercourse are expected to have ritual intercourse with a stranger, and so fortify themselves against this dread disease.

then knows to an amount of the circumstances attending the illness and death. The point at issue is whether there is any evidence pointing to death from unnatural causes which requires something a divinen. The chief practically always agrees with the relatives, and it is said that he will never press them to go to the workhouse unnecessarily. The case may end with this conference, or here may begin the long series of events described under sawa.[1]

During the month subsequent to the funeral, certain taboos have to be observed. The widow may not bathe, and with the exception of the sick, all who attended must refrain from sexual intercourse. At the expiration of this period, hair is lowered in the village, and all the friends and relatives are again summoned. This hair-thinking is called "the lower of mourning," or "the lower of emigration." In addition to the hair, food is provided, and everyone helps himself without ceremony. Chindindo is sung and danced and at the present day, bands of trained dancers attend, including shrieking women.[2] A pot of beer is sunk into the ground, marking the site of the dead man's house. The night of mourning[3] sees husbands and wives reunited, and the widow may go through ceremonial intercourse with a man appointed for the purpose called lisoro or vidoi. Sometimes the widow refuses lisoro, and is given medicine instead to cleanse her; her body is then no longer "hot" and likely to bring disease to those about her. A widow does not marry again for two or three years. A young man who loses his wife has no longer any standing in her village after mourning. He is usually given a present, with the suggestion that he go elsewhere. After the death of an infant, the mother is considered unclean. She sleeps on a mat apart from her husband till after the ceremony of sharing, and then undergoes a ceremonial union with her husband — to which case he is called lisoro — after which, ordinary cohabitation is resumed. If she has been a widow, or if the child was born "with disease,"[4] another man acts as lisoro.

The morning following mourning, all the fires in the village are extinguished. A fresh blaze is then kindled with the fire-drill, lomaya, either in the chief's house or in some quiet locality, and from there, fire is carried to all the houses. The ashes of the old fires, the stones supporting the cooking pots, and the porridge sticks are taken to the cross-roads, and there destroyed. Everyone then shaves all his own hair, head, axillae, and pubis. The custom of the second sharing by the souls, described in Africans,[5] is, I think, an adaptation from the Aryans. A year later, hair is again lowered, and all the relatives assemble in the village to partake of it. There is sharing, but no ceremony.

The Tau bury their dead in regular graveyards in wooded country, the thicker the forest the better, often two or three miles away from a group of villages. Different villages bury their dead in different parts of the burial ground; relatives are usually buried near one another. Graves are never revisited, and no one would enter a graveyard except at the time of a funeral, and then only after obtaining permission from the chief. Such spots are

[1] This latter, p. 288. [2] Beer-drinking. [3] Macdonald, op. cit., p. 111.
[4] This latter, p. 289 and Pl. I. [5] This latter, p. 290.

two feet high and fifteen inches in diameter, hollowed out from above for about two-thirds of its length. Many are made with a kind of base or stand, and some have roughly carved human figures on the outside; these are called "the Ismaita," doubtless a reminiscence of Semang, a large part of whose life is spent in preparing flour (Pl. XV, fig. 18).

Fire-sticks. Matches are becoming more widespread year by year and soon the knowledge of how to make fire with a fire-drill will be lost. The method employed among the Tau is as follows: a flat surface is cut on a piece of partly rotted wood. In the middle of this a small depression is made, and on one side of the piece of wood a groove is cut leading from the flat cut surface. The piece of wood is held firmly on the ground by one person with a piece of old scorched cloth or some charred sticks at the base of the groove. A second person, by rolling a stick of hard wood rapidly between his hands with the point directed against the depression on the flat surface in which a little wood has been placed, drills a hole into it. The heat developed is sufficient to cause the powdered cotton wood to start smouldering. This is then turned out on the cloth, which is gently waved in the air till it catches fire (Pl. XV, fig. 16).

Boats. With the exception of a small corrugated wood, *klotoque*, made of rough bark and used for crossing streams, the Tau have no boats. The dug-out canoes which they use at the present day are made for them by the *Anyonija*. In addition to the bark boat, they use a kind of raft made from the pith tree, *bongoro*.

Tobacco. The use of tobacco in some form is universal among the tribes of Nyamboland and the Tau are no exception. The method of use varies among the different peoples; smoking, chewing, and snuffing are all practised, but while the *Anyonija* is essentially a pipe-smoker, the Tau takes snuff, although I think only lately he has also taken up smoking and chewing. A short time ago, a Tau who chewed would have been laughed at. The *Anyonija* do not chew but take snuff to a certain extent; the *Angoni* who do not smoke or chew are keen on snuff-taking; the *Anambalan*, *Atonga*, *Awanga*, and *Ankonde* are pipe-smokers and to lesser degree snuff-takers.

Tobacco is called *awa* (Jaluo, Chin.). It is prepared by sun-curing the leaf, which is then rolled up into a twist and allowed to dry further. The common tobacco pipe consists of a clay bowl, often ornamented, and a reed stem; it was formerly called *shilonga*, but is now known as *kalo* (Pl. XV, fig. 11). For hemp, *chamba*, the Tau use a water pipe called *ndembo* (*nyendo*, Chin.); this consists of a bamboo water container from which projects a reed stem surmounted by a clay bowl (Pl. XV, fig. 10). The word *ndembo* is also used for a tobacco pipe.

When tobacco is chewed, a little lime paste *ondindo* made from snail shells is put in the mouth "to bring out the flavour," a small clay jar being used to carry the *ondindo*.

Both the Wapwa and the *Anyonija* prepare snuff by grinding the broken-up tobacco leaves with a stone in a pestle-mortar; the powder is then turned out into *mandiwa* shard and warmed over a fire. A few drops of a preparation called *mapuli* is added for flavour. *Mapuli* is

[End Plate 17]

[illegible]

(364) [illegible] ground round the house is beat down, and the bamboo mantled. Immortal love is lowered by the best wife of the chief, and after the law have drunk the wine of the fire and in the hearing are carefully collected and taken to a necklace (" cross-roads," or " diverging of paths ") where they are deposited.

(365) The chief, as representative of the people, bathes in special medicated water, a decoction made from the bark of sprenge and odeum, and the rest of sprenge.

(366) This completes the ordinary annual ceremony, at which law fire is not made.

(367) On certain special occasions a more elaborate ritual is carried out; such occasions are the death of a chief, a threatened epidemic of infectious disease, a murder (especially by shooting) and the frequent occurrence of quarrels in the village.

In such circumstances, in addition to the ordinary purple ceremony described above, the partridge sticks of the whole village are removed and all fires extinguished. The discarded sticks and all ashes of the old fires are carried to the meeting of paths, where the leaves are stuck upright in the ground and the ashes piled together; this is done in procession, all the people taking part. On their return to the village

(368) new fire is made by friction by either the chief or his younger brother—usually the latter; no ground in any other way would nullify the proceedings. Finally

(369) all the people bathe in the ordinated water used only by the chief at the ordinary ceremony.

FFT FFT In addition to this special form of the purple ceremony another rite is sometimes performed after the occurrence of a murder or as prophylactic against the spread of epidemic disease. The doctor first makes a kind of trough (kilongani) from the bark of sandwoods or myrsp, and prepares a shuttlide (or shipongali) basket—used as a strainer in ash-making. Having collected his ambulance he proceeds to the bank of the stream near the usual bathing-place of the village and digs a shallow hole, in which he places the basket; in this he puts the leaves of a certain thorny shrub and covers the whole with the trough, which is banked up with earth so as to be perfectly firm. He then puts the " medicines " into the trough. These are, first, the head of an ivy hornbill and a piece of dog, both from a cooking furnace, the tip of three fat pots pieces of the root of a certain tree which has many and particularly sharp thorns, and bits of bark from two trees peculiar for having very straight stems. Having distributed these evenly along the floor of the trough, he fills it with water and then proceeds to construct an arch over the end of the trough farthest from the stream. Two long poles, cut from a kind of tree particularly rich in sap, are planted in the ground, one on each side of the trough and close to it; these are bent over towards each other, and fastened together by means of a strip of bark over both. A bamboo is now planted alongside each, and similarly tied to its fellow. During all these preparations and throughout the ceremony it is essential that the doctor has no knots in any part of his clothing.

The preparations are now complete, and when all the fires in the village have been extinguished the people go in procession to the spot where the doctor awaits them. All must be purely clad and must have no metal about them.

(370) The chief opens the ceremony. He steps into the trough and taking some of the ordinated water therefrom in his hands he rinses his mouth with it. He then

(371) offers a prayer to the spirits of his ancestors, first stating the emergency and reciting the measures which are to be taken to deal with it (see fire, sweeping, descent of partridge sticks and shooting). The prayer over, he splashes the water in the trough over his body and passes through the arch, first throwing some gifts (knife or, in more modern times, money) into the trough. These gifts, presumably

(372) intended as an offering to the spirits, are the perquisites of the doctor, and everybody is supposed to contribute to them.